

Decision 19-04-038 April 25, 2019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In The Matter of the Application of San Diego Gas & Electric Company (U902G) and Southern California Gas Company (U904G) for a Certificate of Public Convenience and Necessity for the Pipeline Safety & Reliability Project.

Application 15-09-013

**DECISION GRANTING COMPENSATION TO THE UTILITY
CONSUMERS' ACTION NETWORK FOR SUBSTANTIAL
CONTRIBUTION TO DECISION 18-06-028**

Intervenor: Utility Consumers' Action Network (UCAN)	For contribution to Decision 18-06-028
Claimed: \$218,801.22	Awarded: \$222,091.23
Assigned Commissioner: Liane M. Randolph	Assigned ALJ: Colette Kersten

PART I: PROCEDURAL ISSUES:

A. Brief description of Decision:	D.18-06-028 denies San Diego Gas and Electric (SDG&E) and Southern California Gas Company (SoCalGas) Application for a Certificate of Public Convenience and Necessity for a new transmission gas pipeline (Line 3602) and reclassification of Line 1600. In the Decision, the Commission directs SDG&E and SoCalGas to submit hydrostatic test or replacement plan for Line 1600 and to submit a list of independent auditors/bidders who are willing to perform the required independent audit of Line 1600 records. The Decision also orders Commission's Safety and Enforcement Division (SED) to initiate a study of California's pipeline operators' definitions of transmission and distribution so the Commission can determine if there is a need to provide further direction than what is provided in 49 Code of Federal Regulations, Part 92, Section 192.3.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	September 22, 2016	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	October 18, 2016	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4)):		
5. Based on ALJ ruling issued in proceeding number:	A.14-11-003	A.14-11-003, A.14-11-004
6. Date of ALJ ruling:	March 2, 2015	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b))		
9. Based on ALJ ruling issued in proceeding number:	A.14-11-003	A.14-11-003, A.14-11-004
10. Date of ALJ ruling:	May 2, 2015	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.18-06-028	Verified
14. Date of issuance of Final Order or Decision:	June 26, 2018	Verified
15. File date of compensation request:	August 27, 2018	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION:

A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059).

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>Summary</p> <p>Through this Application, SDG&E sought a Certificate of Public Convenience and Necessity (CPCN) for the construction of a new 47-mile long, 36-inch diameter natural gas transmission Line 3602 Pipeline (Proposed Project) at a construction cost of \$639 million. The Proposed Project would replace an existing 16-inch natural gas transmission pipeline, line 1600. Applicants also sought to reduce pressure in L1600 from 512 pounds per square inch gauge (psig) to 320 psig and reclassify the line from transmission service to distribution service.</p> <p>UCAN, along with other intervenors, protested that the Application lacked certain data to evaluate the fundamental objectives of the project and questioned the high cost of the project without analysis regarding alternatives.</p>	<p>D.18-06-028 p. 2, 3</p> <p>Protest of UCAN to Application, p. 3, 4</p>	<p>Verified</p>

<p>Citing the concerns of UCAN and other intervenors, the Commission found that Semptra's application was deficient under the law and under Commission rules. Semptra was directed to file and serve an amended Application including a needs analysis and cost analysis comparing the project with any feasible alternative sources of power.</p> <p>After the initial Application was filed September 30, 2015, UCAN submitted several data requests to the Applicants. After receiving and examining these data requests, UCAN took the position that the Proposed Project was unnecessary because the data did not show a capacity problem or a reliability problem with the current pipeline.</p> <p>UCAN supported ORA's Motion to Dismiss the Amendment to the Application, finding that</p>	<p>Joint assigned Commissioner and Administrative Law Judge's ruling requiring an amended Application and seeking protests, responses and replies, January 22, 2016, p. 7</p> <p>"While the [amended] application notes potential capacity issues, in the data responses provided to UCAN, SDG&E fails to show a single curtailment of service due to insufficient capacity that results in SDG&E being unable to fulfill the overall needs, daily needs, or hourly needs of its customers since 2011."</p> <p>"...we believe that the project as proposed has not been justified by the applicant and that the proposed project is costly and unnecessary."</p> <p>Protest of UCAN to Amended Application, p. 3</p> <p>"UCAN supports ORA's Motion to Dismiss the Amendment to the Application not only for the sound reasons noted in ORA's motion but also because...Applicants failed to show that the project was necessary to meet SDG&E's</p>	<p>Verified</p>
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<p>the Applicants failed to show that the project was necessary to meet SDG&E's stated objectives.</p> <p>ORA's Motion was denied.</p> <p>Subsequently, however, after working with our expert, reviewing data responses, providing testimony and attending Evidentiary Hearings, UCAN's position evolved to one of support for the Applicant's Proposed Project due to safety, resiliency and reliability issues.</p> <p>While the Commission did</p>	<p>stated three fundamental objectives..."</p> <p>Response of UCAN in Support of ORA's Motion to Dismiss SDG&E/SCE' Application for a CPCN; p. 2</p> <p>Email ruling denying motion to dismiss, July 15, 2016</p> <p>"Initially, UCAN and I were very skeptical of SDG&E/SCG's proposal, especially given the cost to ratepayers. However, after an examination of SDG&E/SCG's evidence, a review of all the data responses to the intervenor's, the Office of Ratepayer Advocates (ORA) and the Commission's Safety and Enforcement Division (SED), Energy Division (ED) questions, as well as independent research, we became convinced that SDG&E/SCG's proposal deserves support. We arrived at this conclusion in light of line 1600 safety issues and the resiliency and reliability issue associated with having only line 3010 to serve the region should line 1600 be de-rated or taken out of service."</p> <p>UCAN Opening Brief p. 5, citing Ex. UCAN-01 p. 3, Testimony of Margaret Felts.</p>	
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<p>not adopt UCAN's recommendations to build line 3602 and remove line 1600 from service, or in the alternative to support TURN's recommendation and derate line 1600 (which UCAN supported), UCAN believes its extensive involvement in this proceeding enhanced the record and contributed to a more robust discussion of all the relevant issues.</p>		
<p>2. UCAN argued in its Prehearing Conference Statement that the California Environmental Quality Act (CEQA) process should be completed before holding evidentiary hearings. UCAN pointed out that by allowing the CEQA environmental review process to go first, it could inform the Commission on issues that might need to be considered at hearings, and that the hearings could then help develop the record for the feasibility of any identified environmental mitigation measures. Allowing CEQA to go first would also allow provide the time to obtain updated gas demand forecasts, a vital issue in this proceeding.</p>	<p>"As an initial matter, UCAN would note that while the Commission will need to hold evidentiary hearings in this proceeding to determine issues of cost and need for the proposed project, there is Commission precedent to wait until the environmental review process has been completed before holding evidentiary hearings. UCAN believes that it would be prudent for the ALJ and the Assigned Commissioner to exercise their discretion and wait until the environmental review has been completed before scheduling evidentiary hearings...[this is] prudent for several reasons 1) the CEQA process will inform the Commission on the issues to be considered in evidentiary hearings...2) evidentiary hearings may be needed to provide further record development for the feasibility of environmental mitigation measures...3)...allowing the CEQA process to proceed first</p>	

<p>While not adopting UCAN's recommendation, the ALJ did include a discussion of the importance and need for a thorough CEQA process and the interrelationship between the issues of need and environmental review. in the Scoping Memo. The ALJ noted that consideration of need and alternatives can fully inform the CEQA process and developed a bifurcated Phase one and Phase two process to consider legal issues and establish basic planning assumptions..</p>	<p>will provide the time to obtain updated gas demand forecasts which will inform the Commission on the need for the proposed project.”</p> <p>UCAN Prehearing Conference Statement, p. 3,4</p> <p>“... In PHC statements, ORA, Sierra Club, SCGC, UCAN and Protect Our Communities now recommend that CEQA analysis occur before consideration of purpose and need...[The ALJ points out that] “This back and forth” evaluation process may not be efficient or timely.”</p> <p>Based on pleadings and the PHC discussion, I set out Phase One issues that are designed to establish the need for the project by resolving basic planning assumptions and standards of review that may inform the joint CEQA/NEPA process...I emphasize that addressing the need determination in Phase One in no way predetermines the outcome of the Commission's CEQA process.”</p> <p>Scoping Memo, p. 12, 13</p>	<p>Verified</p>
<p>3. UCAN recommended that line 1600 be removed from service as soon as practicable. This recommendation was based on the a review an in-line inspection report of SDG&E line 1600 dated</p>	<p>“In this proceeding UCAN has recommended that line 1600 be removed from service as soon as practicable. Our decision to support abandonment is informed by the <u>Post Assessment Report for the 2012-2015 In-Line Inspection of</u></p>	

<p>February 16, 2017, by UCAN expert Margaret Felts. The report revealed many anomalies and flaws in line 1600 that caused UCAN to believe that line 1600 should be removed from service.</p>	<p><u>SDG&E Pipeline 1600, Pipeline Integrity - Transmission Integrity & Analysis, February 16, 2017.</u> This report reveals that there are many unknown and unknowable line conditions to be concerned with...[Most] concerning about this report is that the direct examination of segments of line 1600 reveal anomalies that were <u>unknown and unknowable</u>. UCAN is concerned that even if SDG&E derates the line to be a distribution line, and thereby reduces the pressure, it is still possible that a failure in this line would result in a rupture rather than a leak thereby increasing the consequence should the line fail.”</p>	
<p>The Commission noted UCAN’s position, and the Decision discusses in detail the five categories of anomalies described in UCAN’s Opening Brief and comments that these flaws were not insignificant.</p>	<p>UCAN Opening Brief, p. 7,8</p>	
	<p>D.18-06-028 p. 83, 84</p>	<p>Verified</p>
<p>Alternately, UCAN argued that if the Commission did not remove line 1600 from service then the Commission should follow TURN’s recommendation to derate the line and require enhanced inspections.</p>	<p>UCAN Opening Brief, p. 9</p>	
<p>The Commission did not adopt UCAN’s</p>	<p>D.18-06-028 p. 85</p>	<p>Verified</p>

<p>recommendation of removal or in the alternative to de-rate line 1600, believing that recent reductions in pressure on line 1600 provided adequate safety margins for now, and that continuous monitoring would suffice.</p>		
<p>4. In the alternative to a complete removal of line 1600, UCAN supported Applicants and TURN that if operating pressure was reduced to hoop stress of below 20%, line 1600 would then be a distribution line as opposed to a transmission line.</p> <p>UCAN disagreed with SED's conclusions drawn from the facts in the record that line 1600 would remain a transmission line even if pressure is reduced.</p> <p>The Commission notes that UCAN and others provide "compelling factual arguments" as to why the line should be derated and considered a "distribution line." The Final Decision includes an extensive discussion of UCAN's analysis and advocacy, calling it a "credible case" by UCAN that it should be distribution. Rejects SED</p>	<p>UCAN Supplemental Opening Brief, p. 6-8, 4</p> <p>UCAN Supplemental Opening Brief, p. 4</p> <p>"The Applicants, UCAN, and TURN, provide some compelling factual arguments why Line 1600 would qualify as a distribution line pursuant to federal regulations...However, it would be helpful to understand the system-wide implications of the definition of distribution center, large volume customer, and functional transmission, and the associated cost impacts of these definitions...it is not necessary to conduct any further hearings and cross-examination of witnesses and /or SED staff regarding the definition of a distribution center, since the Commission is not taking any</p>	

insistance that it be transmission and orders SED to do more.....	<p>action in this proceeding at this time.”</p> <p>“In the meantime, we direct SED to complete a special study of California pipeline operator definitions of transmission and distribution pipelines to determine whether there is a need for the Commission to provide further definitions under different circumstances than those provided under 49 CFR Section 192.3.”</p> <p>D.18-06-028 p. 72-74</p>	Verified
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office at the California Public Utilities Commission (Cal Advocates) a party to the proceeding? ¹	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	No	Yes
c. If so, provide name of other parties:		TURN, POC
d. Intervenor's claim of non-duplication: In this case, UCAN worked closely with other intervenors (ORA, TURN, POC, Sierra Club) to keep duplication to a minimum and to ensure that our work would complement or assist the showings of other parties. UCAN participated in several coordination phone calls to develop and coordinate litigation strategy and coordinate resources. UCAN sponsored testimony that focused primarily on the condition of Line 1600 and argued that it should be removed from service as soon as practicable. No other intervenor took this position and UCAN's testimony on this point supplemented the record and required other parties to to supplement the record and		Noted

¹ The Office of Ratepayer Advocates (ORA) was renamed the Public Advocate's Office at the California Public Utilities Commission (Cal Advocates), pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

enhance the discussion in ways that were different and non-duplicative and lead to a more nuanced and detailed final decision on the state of Line 1600 .	
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PART III: REASONABLENESS OF REQUESTED COMPENSATION:

A. General Claim of Reasonableness (§ 1801 and § 1806):

<p>a. Intervenor's claim of cost reasonableness:</p> <p>In this proceeding UCAN's advocacy, through its original protest, enhanced the record by identifying a lack of data and analysis of feasible alternatives which led the Commission and ALJ to direct Sempra to file and serve an amended Application. UCAN's work was instrumental in scoping the issues by recommending that the Commission wait until the environmental review process was complete before moving forward with the proceeding and holding evidentiary hearings. While the Commission moved forward with other parts of the proceeding, , UCAN's advocacy assisted the Commission's discussion and decision regarding the CEQA process and the impact on determining the reasonableness of the project. By submitting testimony, briefs and supplemental briefs, UCAN helped the Commission discern the need to distinguish between a transmission line vs. a distribution line and whether a lower pressure on Line 1600 would then make it a distribution line by definition. The Commission deferred the decision on reclassification and ordered SED to conduct further studies on pipeline operator definitions for distribution and transmission.</p> <p>UCAN's participation on behalf of San Diego ratepayers helped inform the Commission on critical issues such as safety, necessity, cost and environmental review. UCAN's efforts provided value to the record by promoting a more robust and thorough discussion of the issues. While the Commission did not adopt all of UCAN's recommendations, the scope of UCAN's participation resulted in a more thorough and complete analysis of the proposed project. UCAN urges the Commission to find that our costs of participation of \$218,801.22 are more than reasonable given our substantial contribution for San Diego ratepayers.</p>	<p><u>CPUC</u> <u>Discussion</u></p> <p>Noted</p>
<p>b. Reasonableness of hours claimed:</p> <p>In this proceeding, UCAN is claiming 261.5 total hours of attorney time, 365.98 hours of expert witness time, and 166 of ratepayer advocate time. UCAN began this work in September of 2015 and continued until May of 2018. UCAN believes that 793.48 hours of substantive work is reasonable due to the scale and scope of the</p>	<p>Noted</p>

proposed project and the amount of effort and analysis required to understand and analyze the pertinent issues. UCAN details the nature of the attorney and expert work below.

Don Kelly, UCAN's Executive Director, was UCAN's lead attorney on this case. Mr. Kelly focused on several procedural matters and legal that arose at the beginning of this proceeding including whether the Environmental Review process (CEQA) should go first before the review of SDG&E's Application and whether the Application should be dismissed for lack of data and information. Mr. Kelly also coordinated Ms. Felt's participation and drafted and distributed multiple sets of discovery to SDG&E. Mr. Kelly also coordinated with other intervenors including settlement discussions that ultimately were unsuccessful. Mr. Kelly participated in eight days of hearings over several months in 2017 and conducted cross-examinations of SDG&E witnesses. Mr. Kelly worked with UCAN expert Ms. Felt's to brief the issues and make final recommendations as a result of extensive analysis and review.

Margaret Felts was UCAN's expert consultant throughout this proceeding. She provided extensive research, analysis and drafting work on issues presented in SDG&E's Application. UCAN contributed to the record through Ms. Felt's work including discovery requests, analysis, and recommendations. Ms. Felt's traveled to San Francisco as UCAN's expert witness and was available for cross-examination. UCAN relied on Ms. Felts extensive knowledge and experience to inform the issues and develop final recommendations. Ms. Felt's hours are reasonable in light of her technical analysis and contribution to the record in this proceeding..

Jane Krikorian was the initial ratepayer advocate in this case, reviewing the original Application for cost and necessity and writing the initial protests to the Application and the Amended Application. Ms. Krikorian also completed the proceeding by drafting Comments and Reply Comments on the Proposed Decision. Ms. Krikorian bills at a lower rate than Mr. Kelly.

UCAN's participation helped inform the Commission on critical issues such as safety, necessity, cost and environmental review. UCAN's efforts provided value to the record by promoting a more robust and thorough discussion of the issues. UCAN believes the total amount of hours requested for reimbursement is reasonable given the value added to this proceeding from UCAN's work.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Donald Kelly	2015	6	\$335	D.18-06-024	\$2,010.00	6.00	\$335.00	\$2,010.00
Donald Kelly	2016	76.75	\$355	D.18-06-024	\$27,246.25	76.75	\$355.00	\$27,246.25
Donald Kelly	2017	148.75	\$365	D.18-06-024	\$54,293.75	148.75	\$365.00	\$54,293.75
Donald Kelly	2018	30	\$375	D.18-06-024	\$11,250.00	30.00	\$375.00	\$11,250.00
Jane Krikorian	2015	17.25	\$150	D.16-06-028	\$2,587.50	17.25	\$150.00	\$2,587.50
Jane Krikorian	2016	124.5	\$150	D.16-06-028	\$18,675.00	124.50	\$150.00	\$18,675.00
Jane Krikorian	2017	3.25	\$155	D.18-06-024	\$503.75	3.25	\$155.00	\$503.75
Jane Krikorian	2018	21	\$200	See Comment 3	\$4,200.00	21.00	\$200.00 [C]	\$4,200.00
Margaret Felts	2016	13.25	\$250	See Comment 2	\$3,312.50	13.25	\$250.00 [D]	\$3,312.50
Margaret Felts	2017	344.23	\$250	See Comment 2	\$86,057.50	344.23	\$250.00 [D]	\$86,057.50
Margaret Felts	2018	8.5	\$250	See Comment 2	\$2,125.00	8.50	\$250.00 [D]	\$2,125.00
Courtney Cook	2016	.5	\$150	D.18-06-024	\$75.00	0.50	\$150.00	\$75.00
Courtney Cook	2017	2	\$155	D.18-06-024	\$310.00	2.00	\$155.00	\$310.00
Courtney Cook	2018	.5	\$160	D.18-06-024	\$80.00	0.50	\$160.00	\$80.00
Subtotal: \$ 212,721.25						Subtotal: \$212,726.25 [A]		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Donald Kelly	2016	0	\$177.5	D.18-06-024	0	0.00	\$177.50	\$0.00
Donald Kelly	2017	10.25	\$182.5	D.18-06-024	\$1,870.62	28.25 [B]	\$182.50	\$5,155.63

Jane Krikorian	2016	9	\$75	D.18-06-024	\$675.00	9.00	\$75.00	\$675.00
Subtotal: \$2,545.62						Subtotal: \$5,830.63		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Donald Kelly	2016	.5	\$177.5	D.16-06-028 D.18-01-021 D.18-06-024	\$88.75	0.50	\$177.50	\$88.75
Jane Krikorian	2018	15.5	\$100	D.18-06-024	\$1,550.00	15.50	\$100.00	\$1,550.00
Courtney Cook	2018	2	\$80	D.18-06-024	\$160.00	2.00	\$80.00	\$160.00
Subtotal: \$1,798.75						Subtotal: \$1,798.75		
COSTS								
#	Item	Detail			Amount	Amount		
	Travel	Airfare, Uber, car rental, copies			1,735.60	\$1,735.60		
Subtotal: \$1,735.60						Subtotal: \$1,735.60		
TOTAL REQUEST: \$218,801.22						TOTAL AWARD: \$222,091.23		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ²		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
Donald Kelly		12/05/1990		151095		No		

C. Attachments Documenting Specific Claim and Comments on Part III:

Attach	Description/Comment
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² This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

ment or Comm ent #	
1	Certificate of Service
2	<p>Through this request, UCAN is asking that Margaret Felt's rate be established at \$250 an hour. Given the complexity of the issue areas she was dealing with and her professional qualifications, UCAN asserts that this rate is more than justified.</p> <p>Ms. Felts has been a technical consultant to law firms, regulatory agencies and private entities on environmental, energy and corporate fraud cases, concentrating her practice on behind-the-scene discovery, research and strategy development since 1983. She also serves as an expert witness in many proceedings. Ms. Felts specializes in pipeline integrity management records and processes, gas and electric utilities regulatory issues, oil & gas industry cases, groundwater contamination, hazardous waste disposal and site cleanup and historical records research.</p> <p>Ms. Felts received her J.D at Pacific McGeorge School of Law and has a Bachelors in Petroleum Engineering from Louisiana Tech University and a Masters in Energy/ Environmental Engineering from LaSalle University.</p> <p>Ms. Felts has also served as Deputy Director of the California Department of Toxic Substances Control (DTSC), where she managed the state's Superfund program, including the base closure program for the oversight of toxic cleanup of military bases closed by the federal government. Prior to working for the state, Ms. Felts served as Division Chief of Environmental Engineering at for the Department of Defense at McClellan AFB. In this position she was responsible for developing a program to bring the base into compliance with Federal, State and local environmental regulations. Ms. Felts came to California from Texas when she was recruited by the California Energy Commission to fill a lead technical position in the Fuels Office.</p> <p>Although this is the first request for a rate as an outside expert for intervenor compensation, Ms. Felts has extensive experience as a technical consultant and expert including cases before the Commission. She has worked with the CPUC, SED, and ORA on pipeline safety cases, investigations into PG&E's bankruptcy, and gas storage for SCE and other California utilities.</p> <p>The requested rate is at the low end of the range for experts with thirteen or more years of experience (\$180-\$445). UCAN urges the Commission to compare Ms. Felts experience with that of her peers. For example, Tom Caitlin, an experienced consultant on water and energy regulatory matters,</p>

	has performed limited expert services for TURN on water cases and telecommunications work for DRA and was assigned a rate of \$205 for work performed in 2012, which should translate into a rate comparable to the requested for Ms. Felts' more recent work. John Howat with the National Consumer Law Center and Ed Osann with the Natural Resources Defense Council have well surpassed Ms. Felts with a \$330 and \$310 billing rates respectively for work done several years ago on energy and water policy matters.
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D. CPUC Disallowances and Adjustments:

Item	Reason
3	<p>UCAN seeks an hourly rate for Advocacy Supervisor Jane Krikorian at \$200 for her work in 2018. Ms. Krikorian's requested compensation "take[s] into consideration the market rates paid to persons of comparable training and experience who offer similar services," (<i>see</i> PUC § 1806), is within the established 2018 range of rates for her level of experience, and is in accordance with the Commission's guidelines in D.05-11.031. For 2018, the PUC compensated experts with 0-6 years of experience in the range of \$150-\$215 per hour. Resolution ALJ-352. Ms. Krikorian's requested rate is within this range and due to her education and experience is reasonable.</p> <p>Ms. Krikorian received her J.D. in 2010 and has been working as a legal advocate for the last 7 years. Her advocacy experience includes clerking at the Legal Aid Society in the Low-Income Tax Clinic and for Social Security Insurance. She has extensive legal research experience. She is in her fifth year of work at UCAN and in CPUC proceedings. While at UCAN, Ms. Krikorian has become increasingly responsible for coordinating and working with experts to draft comments and testimony, attending hearings, conducting cross-examinations, writing briefs, drafting comments on proposed decisions and completing intervenor compensation claims.</p> <p>UCAN previously asked for a cost of living and step increases for Ms. Krikorian in UCAN's Integrated Resource Planning Compensation Request (R1602007) filed April 16, 2018, bringing her rate to \$165. However, UCAN feels the current rate increase request is justified due to the broader practitioner responsibilities Ms. Krikorian has taken on for UCAN over the past five years. For comparison, UCAN paralegal Courtney Cook has a current rate of \$160. Ms. Cook has an Associates in Science Degree in Paralegal studies and 3 years experience as a paralegal at UCAN. Ms. Krikorian is a law graduate and has 5 years experience with CPUC practitioner work at UCAN. Given her advocacy experience, her law degree, legal research background and duties at UCAN, we believe the rate of \$200 is justified and we ask that this rate be approved.</p>

D. CPUC Disallowances and Adjustments:

Item	Reason
[A]	Addition Error.
[B]	Reported Travel Hours for 2017 for Kelly was 28.25 hours.
[C]	The Commission finds reasonable a rate of \$250.00 per hour for Felts for work performed in 2016, 2017, and 2018.
[D]	The Commission finds reasonable a rate of \$200.00 per hour for Krikorian for work performed in 2018.

PART IV: OPPOSITIONS AND COMMENTS:

(Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c)))

A. Opposition: Did any party oppose the Claim?	No
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B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes
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FINDINGS OF FACT

1. Utility Consumers' Action Network has made a substantial contribution to D.18-06-028.
2. The requested hourly rates for Utility Consumers' Action Network's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$222,091.23.

CONCLUSION OF LAW

The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Utility Consumers' Action Network shall be awarded \$222,091.23.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company ratepayers and Southern California Gas Company ratepayers shall pay Utility Consumers' Action Network their respective shares of the award, based on their California-jurisdictional gas revenues for the 2017 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning November 11, 2018, the 75th day after the filing of Utility Consumers' Action Network's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated April 25, 2019, at San Francisco, California.

MICHAEL PICKER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D1904038	Modifies Decision?	No
Contribution Decision(s):	D1806028		
Proceeding(s):	A1509013		
Author:	ALJ Kersten		
Payer(s):	San Diego Gas & Electric Company ratepayers and Southern California Gas Company ratepayers.		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change / Disallowance
Utility Consumer's Action Network	08/27/2018	\$218,801.22	\$222,091.23	N/A	Addition Error, Difference in Reported Hours

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Donald	Kelly	Attorney	\$335.00	2015	\$335.00
Donald	Kelly	Attorney	\$355.00	2016	\$355.00
Donald	Kelly	Attorney	\$365.00	2017	\$365.00
Donald	Kelly	Attorney	\$375.00	2018	\$375.00
Jane	Krikorian	Expert	\$150.00	2015	\$150.00
Jane	Krikorian	Expert	\$150.00	2016	\$150.00
Jane	Krikorian	Expert	\$155.00	2017	\$155.00
Jane	Krikorian	Expert	\$200.00	2018	\$200.00
Margaret	Felts	Expert	\$250.00	2016	\$250.00
Margaret	Felts	Expert	\$250.00	2017	\$250.00
Margaret	Felts	Expert	\$250.00	2018	\$250.00
Courtney	Cook	Expert	\$150.00	2016	\$150.00
Courtney	Cook	Expert	\$155.00	2017	\$155.00
Courtney	Cook	Expert	\$160.00	2018	\$160.00

(END OF APPENDIX)